

**To:** Erin Foresman/R9/USEPA/US@EPA[]  
**From:** "Nepstad, Michael G SPK"  
**Sent:** Tue 8/14/2012 6:48:05 PM  
**Subject:** FW: Permit Strategy for SSHCP (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

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-----Original Message-----

From: Enos, Cassandra [mailto:[cenos@water.ca.gov](mailto:cenos@water.ca.gov)]  
Sent: Tuesday, August 14, 2012 9:42 AM  
To: Jewell, Michael S SPK  
Cc: Nepstad, Michael G SPK; 'Marc Ebbin'  
Subject: RE: Permit Strategy for SSHCP (UNCLASSIFIED)

Mike - I understand, I've been busy catching up from vacation myself. Thanks for the opportunity to review the whitepaper, we will limit our comments as requested. I agree the permit coordination meeting is a good place for discussion on substantive issues, I'm just not sure they are frequent enough to provide efficient coordination. As of now the coordination meetings are scheduled every other month. Also, with such a large group it tends to be difficult to get agreement on any topic. Perhaps we could have a meeting in between the permit coordination meetings to keep things on-track. I also think there are some issues that don't need to be vetted with the larger group, eg. MOU, WRDA.

With respect to next week's permit coordination meeting, I have the following topics:

- permitting strategy: relationship between 404 and 408 encroachment, general permit for restoration (advantage over NWP 27?), permitting conveyance components separately with one 404(b)(1)
- permit timeline: focus on review timelines and milestones

- Updates: wetland mapping, alternatives development, project purpose, 408 permission, other permits, etc.

Anything else you would like to add?

Thanks, C.

-----Original Message-----

From: Jewell, Michael S SPK [mailto:Michael.S.Jewell@usace.army.mil]  
Sent: Monday, August 13, 2012 3:39 PM  
To: Enos, Cassandra  
Cc: Marc Ebbin; Nepstad, Michael G SPK  
Subject: RE: Permit Strategy for SSHCP (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Cassandra:

I'm very sorry I haven't been able to get back to you until now. We were very busy planning for and hosting the National Regulatory Conference last week.

1. NEPA Compliance for BDCP white paper: I will revise the whitepaper based on our conversation and send it to you by Friday. As we discussed, I'll give you an opportunity to review and provide comments but only on the things that are absolutely critical to you. We'll then finalize the whitepaper (again!).
2. Permitting Strategy: Let's add the concept of a permitting strategy to the agenda for the permitting coordination meeting. Off the top of my head, we may want to consider a general permit specifically for restoration projects.
3. Schedule: Something we could discuss initially at the permitting coordination meeting. We should focus on major milestones.
4. Future Meetings: I would prefer we keep the permitting coordination meeting as the place for most of our discussions about Corps Regulatory matters and meet in person or by telephone on an ad hoc basis for stuff we don't need/want to discuss with a larger group.

We should be a little more responsive/attentive once we bring a project manager on board. Mike will be getting a list of candidates any day now and should be holding interviews soon after.

Michael S Jewell  
Chief, Regulatory Division  
US Army Corps of Engineers, Sacramento District

-----Original Message-----

From: Enos, Cassandra [mailto:cenos@water.ca.gov]

Sent: Tuesday, August 07, 2012 3:39 PM  
To: Jewell, Michael S SPK  
Cc: Marc Ebbin  
Subject: RE: Permit Strategy for SSHCP (UNCLASSIFIED)

Mike - Hi, I'm starting to catch up after vacation and wanted to follow-up on our meeting on Friday the 20th. It's my recollection that we discussed the following:

- . NEPA Compliance for BDCP white paper - We discussed the purpose and context of the white paper. Marc brought up some of his concerns with the approach detailed in the document. There was agreement that there are some inconsistencies with the approach we've discussed. You agreed that some changes should be made. Are we supposed to provide written comments before you make changes or if you are going to make changes first??

- . Permitting Strategy - The Corps would like to develop a permitting strategy for the BDCP that can be included as an appendix to the EIR/S. We discussed some options for permitting the individual components of the conveyance structure. DWR's concern with including all the components under one permit is that the 408 will delay start of many of the non-408 permit components. Also, construction for the tunnels would start as much as 3 years before construction of the intakes. I received the permit strategy document for the South Sac HCP. I don't recall what the next steps are for developing a strategy for BDCP. Do you want us to provide suggestions based on the South Sac HCP?

- . Schedule - We agreed to develop a permitting schedule that works for both DWR and the Corps. I can start by pulling together a list of milestones with a tentative timeframe and sending to the Corps.

- . Big Asks - We discussed asking HQ to allow the 404 and 408 permits to be separated, or ask to bring the 408 decision down to the District level. Marc will follow-up on these with Jerry Meral. Along those lines, Marc will relay the message about defining the Corps role in the Delta.

- . Future Meetings - We agreed to schedule future calls to keep the momentum going. Are there any days/times that work best for you?

Let me know if I missed anything or have anything incorrect. Thx, C.

From: Jewell, Michael S SPK [mailto:Michael.S.Jewell@usace.army.mil]  
Sent: Friday, July 20, 2012 5:46 PM  
To: Enos, Cassandra; Marc Ebbin  
Subject: Permit Strategy for SSHCP (UNCLASSIFIED)

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